

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 16-00231-01-CR-W-HFS
)	
RYAN C. JENNINGS,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on November 16, 2016. Defendant Jennings appeared in person and with retained counsel Mark Thomason. The United States of America appeared by Assistant United States Attorney Jeffrey McCarther.

I. BACKGROUND

On July 19, 2016, an indictment was returned charging Defendant with one count of being a felon in possession of a firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2), and one count of possession of methamphetamine, in violation of 21 U.S.C. § 844(a).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. McCarther announced that he will be the trial counsel for the government. The case agent to be seated at counsel table is Task Force Officer Mark Corbin, FBI.

Mr. Thomason announced that he will be the trial counsel for Defendant Jennings.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. McCarther announced that the government intends to call 4 witnesses without stipulations or 2 witnesses with stipulations during the trial.

Mr. Thomason announced that Defendant Jennings intends to call 2 witnesses during the trial. Defendant may testify.

V. TRIAL EXHIBITS

Mr. McCarther announced that the government will offer approximately 5-10 exhibits in evidence during the trial.

Mr. Thomason announced that Defendant Jennings will offer approximately 10 or less exhibits in evidence during the trial.

VI. RULE 404(b) EVIDENCE

Mr. McCarther announced that the government will offer 404(b) or res gestae evidence during the trial.

Mr. Thomason announced that Defendant Jennings will not offer 404(b) or res gestae evidence during the trial.

VII. DEFENSES

Mr. Thomason announced that Defendant Jennings will rely on the defense of general denial.

VIII. POSSIBLE DISPOSITION

Mr. Thomason stated this case is definitely for trial.

Mr. McCarther stated the government had proposed a plea agreement to the defendant.

IX. STIPULATIONS

Stipulations are not likely.

X. TRIAL TIME

Counsel were in agreement that this case will take 2 days to try.

XI. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed [NO STIPULATIONS/ORDERS HAVE BEEN FILED], counsel for each party file and serve a list of **exhibits** he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by **November 16, 2016**;

That counsel for each party file and serve requested jury **voir dire** examination questions by or before noon, **Tuesday, November 22, 2016**;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested **jury instructions** by or before noon, **Tuesday, November 22, 2016**. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

That counsel for each party file all **signed stipulations** by or before noon, **Tuesday, November 22, 2016**;

That **seven days before the trial date** as reflected in the forthcoming trial letter, if there is not a scheduled change-of-plea hearing, the parties shall make available for the opposing party to inspect, copy or photograph (1) **all premarked trial exhibits**, (2) **any written statements that will be used at trial**, and (3) **Rule 404(b) and res gestae evidence to be offered at trial**.

XII. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XIII. TRIAL SETTING

All counsel and Defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on November 28, 2016.

/s/ Robert E. Larsen

ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
November 16, 2016
cc: Mr. Kevin Lyon